

JUL 29 2004

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS' DOCKETING

5252MC-1

U.S. APPLICATION NO. (If known, see 35 CFR 1.5)

10/519,390

INTERNATIONAL APPLICATION NO.

PCT/KR2004/001246

INTERNATIONAL FILING DATE

September 30, 2004

PRIORITY DATE CLAIMED

July 26, 2003

TITLE OF INVENTION

"A METHOD OF IMPROVING EFFICACY OF BIOLOGICAL RESPONSE-MODIFYING PROTEINS AND THE EXEMPLARY MUTEINS"

APPLICANT(S) FOR DO/EO/US

CHUNG, Yong-Hoon; LEE, Hak-sup; YI, Ki-Wan; HEO, Youn-Hwa; and KIM, Jae-Youn

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 4. ☐ The US has been elected (Article 31).
 5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☒ A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 10 below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☒ A **SECOND** preliminary amendment.
 13. ☐ An Application Data Sheet under 37 CFR 1.76.
 14. ☐ A substitute specification.
 15. ☒ A power of attorney and/or change of address letter.
 16. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
 17. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 18. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 1.54(d)(4).
 19. ☒ Other items or information: Postcard Receipt; Copy of Notification, Statement Regarding Sequence Listing

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/519,390		PCT/KR2004/001246		5252MC-1	

21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee \$300.00 <input type="checkbox"/> b) Examination fee \$200.00 <input type="checkbox"/> c) Search fee \$500.00 <div style="text-align: right; margin-top: 10px;"> TOTAL OF ABOVE CALCULATIONS = \$1,000.00 </div>					Applicant use	Office use only
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
	-100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))					\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	- 20 =		x \$50.00	\$		
Independent claims	- 3 =		x \$200.00	\$		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$		
TOTAL OF ABOVE CALCULATIONS =					\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$	
SUBTOTAL =					\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$	
TOTAL NATIONAL FEE =					\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property					\$	
TOTAL FEES ENCLOSED =					\$	130.00
Amount to be refunded:						\$
Amount to be charged:						\$

- a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SHERIDAN ROSS P.C.
 1560 Broadway, Suite 1200
 Denver, Colorado 80202-5141
 Telephone: (303) 863-9700
 Facsimile: (303) 863-0223

Robert D. Traver

 SIGNATURE

Robert D. Traver
 Registration No. 47,999

CUSTOMER NO. 22442

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

In Re the Application of:)
)
 CHUNG et al.)
)
 Int'l. Serial No.: PCT/KR2004/001246)
)
 Int'l. Filing Date: September 30, 2004)
)
 Priority Date: July 26, 2003)
)
 U.S. Serial No.: 10/519,390)
)
 For: A METHOD OF IMPROVING)
 EFFICACY OF BIOLOGICAL)
 RESPONSE-MODIFYING PROTEINS)
 AND THE EXEMPLARY MUTEINS)
)
 Atty. File No.: 5252MC-1)

STATEMENT REGARDING SEQUENCE
LISTING

"EXPRESS MAIL" MAILING LABEL NUMBER: EV737754065US
 DATE OF DEPOSIT: 7-29-05

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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 "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
 UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND
 IS ADDRESSED TO COMMISSIONER FOR PATENTS, BOX
 PCT, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Carol Werner

SIGNATURE: Carol Werner

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements which was mailed on
 July 1, 2005, for the above-identified U.S. application, enclosed please find a computer readable
 copy of the Sequence Listing, which is identical to the paper copy of the Sequence Listing that
 was filed with the original application.

Applicant's agent hereby asserts that the written copy of the Sequence Listing previously
 filed and the computer readable copy of the Sequence Listing enclosed herewith are identical and
 include no new matter.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Robert D. Traver
 Robert D. Traver
 Registration No. 47,999
 1560 Broadway, Suite 1200
 Denver, Colorado 80202-5141
 (303) 863-9700

Date: 28 July 2005

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 737754065 US

DATE OF DEPOSIT:

7/29/05

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29 JUL 2005

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TYPED OR PRINTED NAME:

Carl Werner

SIGNATURE:

Carl Werner



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,390	Yong-Hoon Chung	5252MC-1

INTERNATIONAL APPLICATION NO.
PCT/KR04/01246

LA. FILING DATE	PRIORITY DATE
09/30/2004	07/26/2003

22442
 SHERIDAN ROSS PC
 1560 BROADWAY
 SUITE 1200
 DENVER, CO 80202

RECEIVED

JUL 06 2005

SHERIDAN, ROSS

CONFIRMATION NO. 7628

371 FORMALITIES LETTER



OC000000016415445

Date Mailed: 07/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2004
- Copy of the International Search Report filed on 12/23/2004
- Preliminary Amendments filed on 12/23/2004
- Information Disclosure Statements filed on 12/23/2004
- Biochemical Sequence Listing filed on 12/23/2004
- Request for Immediate Examination filed on 12/23/2004
- U.S. Basic National Fees filed on 12/23/2004
- Priority Documents filed on 12/23/2004
- Specification filed on 12/23/2004
- Claims filed on 12/23/2004
- Abstracts filed on 12/23/2004
- Drawings filed on 12/23/2004
- Paper nucleotide sequence listings filed on 12/23/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is

identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,390	PCT/KR04/01246	5252MC-1